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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/049,392 | 02/12/2002 | Valerie Sacrez Liebhold | RCA89732 | 3856 |

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Joseph S Tripoli
Thomson Multimedia Licensing Inc
PO Box 5312
Princeton, NJ 08543-5312

EXAMINER

GHATT, DAVE A

ART UNIT PAPER NUMBER

2854

DATE MAILED: 06/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/049,392

Applicant(s)

LIEBHOLD, VALERIE SACREZ

Examiner

Dave A Ghatt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 1-5 are objected to because of the following informalities: Claim 1 is objected to because of the language of line 2, "retained by *said* body". There is no proper antecedent basis for this recitation. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Harbaugh (US 5,584,588). As illustrated in Figure 2, Harbaugh teaches the claimed invention. Harbaugh teaches a keyboard 20 with a body having a plurality of selectable keys correlated in an X-Y

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coordinate system, each key having a particular integer value. Figure 2 shows the 'P' key having a maximum positive integer ordinate value, with the 'Z' key having a maximum negative value. Harbaugh also teaches a third key 'H' with a maximum positive integer abscissa value, and a fourth key 'R' with a maximum negative integer abscissa value, wherein the remainder of the keys has X and Y integer coordinate values associated with a distance from an origin of the X-Y coordinate system that is less than or equal to the ordinate and abscissa values.

With respect to claims 2, 3, and 5, as illustrated in Figure 2, starting from the upper right quadrant of keys, Harbaugh teaches the plurality of keys forming keys of the alphabet in alphabetical order.

With respect to claim 4, the keyboard of Harbaugh forms an alphanumeric data entry system because it includes numeric keys as outlined in column 3 lines 61-67 and as illustrated in Figure 2.

4. Claims 6-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Millington (US 6,037,942). With respect to claims 6 and 14, as illustrated in Figure 6 and as outlined in column 4 lines 8-18 and in column 6, Millington teaches a method of data entry including the step of depicting a data entry screen (keyboard) on a display. As illustrated in Figure 6, the data entry screen shows a plurality of keys wherein one of the keys 118 is centrally located relative to a remainder of the plurality of keys. Column 4 lines 8-18 and in column 6 of Millington also teach the step making the centrally located key 118 the starting point, and allowing the user to selection of any one of the plurality of keys. Column 6 lines 31-36 teaches the steps of returning

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to the centrally located key 118 after user selection of any one of the plurality of keys, and repeating the relevant steps until an end of user selection.

With respect to claims 7 and 15, Millington teaches the use of navigating to any of the plurality of keys via a remote 26.

With respect to claims 8, 9, 16, and 17, column 4 lines 33-37 of Millington teaches the steps of highlighting and using a cursor as recited.

With respect to claims 10 and 14, Figure 6 of Millington teaches the data entry screen (keyboard) on the display having a plurality of keys correlated in an X-Y coordinate system, each key having a particular coordinate value within the X-Y coordinate system. Figure 6 shows the 'K' key having a maximum positive integer ordinate value, with the 'LIST' key having a maximum negative value. Millington also teaches a third key '/' with a maximum positive integer abscissa value, and a fourth key '4' with a maximum negative integer abscissa value, wherein the remainder of the keys has X and Y integer coordinate values associated with a distance from an origin of the X-Y coordinate system that is less than or equal to the ordinate and abscissa values.

With respect to claims 11, 12, 13, 18, 19, and 20, Figure 6 of Millington shows an alphanumeric system with a plurality of keys forming an alphabet in alphabetical order.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The applicant is invited to the patents to Krueger et al. (US 6,098,086, teaching a keyboard arrangement on a display device that uses a remote device for key selection), Parkinson

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(US 6,053,647, teaching an X-Y coordinate system keyboard with an alphabetically arranged keys), and Shelton (US 3,970,185 teaching an X-Y coordinate system keyboard arrangement).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A Ghatt whose telephone number is (703) 308-2417. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3431.

DAG
June 16, 2003



REN YAN
PRIMARY EXAMINER